

CIRCUIT COURT PROCEEDINGS

Regular November, 1909,
Term at Keytesville.

Court met Monday, November 15, 1909, and was opened by public proclamation of A. N. Harding, sheriff, the following officers being present: Hon. John P. Butler, Judge; J. E. Montgomery, prosecuting attorney; A. N. Harding, sheriff; Miss Grace Morris, stenographer, and W. L. Wright, clerk.

A. N. Harding, sheriff, and Chas. Parker and A. S. Rucker, deputies, were sworn to summon jurors and execute other process returnable at this term of court.

The regular panel of grand jurors was composed of F. F. Harman, J. E. Lewis, Aaron Bachtel, Eli Dafayette, Warner Ford, W. R. McGrew, W. H. Claypool, J. F. Ownby, J. W. Whiting, J. W. Sanders, W. H. Conrad and J. C. Riddell. By order of the court, and for good cause shown, W. H. Claypool, J. F. Ownby and J. C. Riddell were excused from service, and their places on the grand jury were filled by the selection of C. B. Kavanaugh, B. F. Brewer, Sr., and George West. The jury were empaneled, sworn and charged and retired to their room Monday to consider such matters as might come before them.

The regularly drawn petit jurors were: Jas. Richmond, George Buksath, Joseph Gross, T. E. Penick, F. M. Elliott, G. W. Hackley, D. W. Veal, C. B. Kavanaugh, John T. Robinson, W. A. Taylor, John C. Duncan, Edwin Grotjan, William Himmelberg, T. E. Prather, J. M. Phillips, J. H. Ehrhardt, Thomas Richardson, James Sparks, W. L. McCampbell, Ed Heisel, Joseph Duffield, George Wayland, Walter Richardson and E. R. Sharp. George Buksath, Joseph Gross, T. E. Penick, F. M. Elliott, John T. Robinson and William Himmelberg were not present and no such a man as "Walter Richardson" could be found in Yellow Creek township. C. B. Kavanaugh was transferred from the petit to the grand jury. No substitutions were made on the regular petit jury for the absentees.

The judge's docket shows the following entries in the disposition or continuance of causes up to yesterday noon.

CIVIL CASES.

Nancy Hayes et al vs. Mary White et al, partition; sheriff files report of final distribution, which is by the court approved, and cause ordered to pass from the docket.

Eddie Vincent et al, vs. Orval Vincent et al, same; same.

Curtis Cook et al vs. W. D. Cook et al, same; same.

Pearl Hoge vs. Margaret Haywood et al, same; same.

Katie Meyer vs. J. F. W. Meyer, divorce; continued.

Benjamin F. Vaughan vs. Martha Vaughan, divorce; trial by court; plaintiff divorced; care and custody of minor children, support and maintenance reserved for future orders; plaintiff to pay costs.

Anna Clausen vs. Lucinda Smith, partition; report of commissioners filed June 14, 1909, confirmed and partition adjudged accordingly; attorneys' fees allowed in the sum of \$200 in favor of McCullough, West & Bressenhen to be taxed as costs; commissioners allowed \$250, each, except Dameron, who is allowed \$5; costs divided equally, and if not paid, execution is to issue therefor, and

cause to pass from docket.

Casandane Bartholomew vs. Alvin J. Bartholomew, divorce; trial by court; plaintiff divorced, and adjudged to pay costs.

Bertha Thurman vs. Grover C. Thurman, same; same.

I. N. Long vs. L. Kline et al, suit to quiet title; trial by court; title decreed, quieted and vested according to the prayer of the petition; plaintiff to pay costs.

Mrs. Mollie C. Sowers vs. Daniel Strong et al, same; same.

Emma Price et al vs. Louis Benecke, et al suit on final settlement; transferred to the circuit court at Salisbury as per written stipulation filed.

B. B. Sims vs. Samuel B. Brown debt—change of venue from Randolph county; transferred to the circuit court at Salisbury as per written stipulation filed.

Retta Munson vs. Willard Munson, partition; plaintiff has leave to file an amended petition, making new parties plaintiff and defendant, and cause continued.

Lalonde Erbland vs. Henry Bosworth et al, suit to quiet title; trial by court; title decreed, quieted and vested according to the prayer of the petition; plaintiff to pay costs.

Peoples bank of Salisbury vs. Otis Ulrich, suit on note—attachment; continued.

Drainage district No. 1 vs. G. T. Lunday, drainage tax; alias summons to the sheriff of Macon county, and cause continued.

Same vs. S. B. Shoemaker, same; continued by agreement.

Same vs. M. W. Miller et al, same; alias summons to sheriff of Macon county for M. W. and J. W. Miller, and cause continued.

Viola Kruse et al vs. Robt. L. Creason, partition; alias summons to sheriff of Clay county for John L. and Benjamin O. Creason, and cause continued.

J. F. Yount vs. Wabash railroad Co., mandate; mandate from Kansas City court of appeals, affirming prior judgment of this court, entered of record.

Gillottie Teter vs. Henry S. Teter, divorce; transferred to the circuit court at Salisbury as per written stipulation filed. (In its issue of October 22, 1909, the COURIER made reference to this case and gave the petition, among other things, as charging that Mr. Teter had been continually drunk and cruel to his wife for a period of 10 years. The word "drunk" did not appear in the petition, but all the other charges were made in the petition as published in the COURIER. We make this correction in justice to Mr. Teter.)

E. B. Kellogg vs. B. F. Brewer et al, mandate; mandate from Kansas City court of appeals, dismissing appeal, entered of record.

Wm. E. Hill vs. J. A. Stender, same; same.

Morganza Griffen et al vs. Albert Griffen et al, partition; S. J. Shaughnessy, former sheriff, ordered to make settlement and report herein or show cause why he has not done so, and cause continued.

Margaret C. Watson vs. Elizabeth Wright et al, suit to set aside deed; alias summons to the sheriff of Howard county for Elizabeth and A. J. Wright; to sheriff of ——— county, Oregon, for Annie E. and F. M. Meyer; to sheriff of ——— county, Kas., for Wm. W. Sinnett, and cause continued.

Henry Franklin vs. Jennie Franklin, divorce; defendant allowed \$25 alimony, payable on

Democracy vs. Mugwumpery.

By reproducing in double-leaded, bordered space on its front page last week an article from the COURIER of November 12 in which we announced our unalterable determination to make an open fight on any county official for a renomination next year who hereafter throws any part of his official patronage to a, so called, Democratic newspaper whose editor bolted all or any part of the county, state or national ticket, the editor of the Chariton Recorder evidently gloats over his own perfidy and seeks approval for bolting a part of the county Democratic ticket at the last general election. We call it "perfidy" for the reason that the editor of the Recorder is now posing as a Democrat. He participated in the Democratic primary election a year ago last August and was thereby in honor bound to support the Democratic nominees, but he bolted one of them, at least, and voted for a Republican.

It remains to be seen whether the Democratic officials of Chariton county are going to give their sanction to such perfidy and join hands in the gloating of the Chariton Recorder by continuing to give a Judas a portion of their official pap. It is up to you, gentlemen. What are you going to do about it?

You know where the COURIER stands as it has clearly and unequivocally made known its platform. If it suits you, climb on unless you do not wish to take a seat in the Democratic band wagon and prefer to ride in the mugwump wheel-barrow, even though it disfigures your Democratic "mug" and gives you the "wumps."

The COURIER and three other Chariton county newspapers are reliably Democratic, and Democratic officers should bestow their patronage on party organs whose editors are on the firing line in time of battle and train not with any of the enemy, but vote the Democratic ticket straight from president to coroner.

It was, we believe, that patron saint of Democracy, Andrew Jackson, who said: "Unto the victors belong the spoils," and the COURIER is emphatically of the opinion that this Jacksonian principle should apply in its fullest sense to the victorious Democracy of Chariton county.

Exit mugwumpery. Enter true Democracy.

If there are any other simon-pure Democratic gems that the Recorder desires to copy from the COURIER it is at liberty to help itself, and the more liberally such gems are used in our contemporary the better. It might be well for the Recorder to reproduce the COURIER as a whole every week, for the Recorder would then be Democratic as well as much newsier.

or before the 1st of April, 1910, and cause continued.

M. Goetz Brewing Co. vs. George O. Brookshire, suit on notes; answer withdrawn; judgment for plaintiff on first count for want of answer for \$58.78; on second count for \$56.82, on third count for \$56.45; aggregating \$172.05, to bear compound interest at the rate of eight per cent from date of judgment.

J. B. Zimmerman vs. Wabash Railroad Co., damages; demurrer withdrawn, and cause continued by agreement with leave for defendant to file answer in 60 days.

J. W. Ingram vs. J. W. Nichols, ejectment; jury waived; trial by court; judgment for plaintiff for possession of property sued for and \$25 damages; monthly rents fixed at \$12.50; execution and writ of restitution to issue.

Willie V. Rice vs. J. O. Rice, divorce; demurrer overruled; plaintiff awarded judgment for \$1 500 alimony and restored to her maiden name, Willie V. Luck; plaintiff to pay costs.

Hiram Wallace vs. R. M. Gandy, debt—appeal; nonsuit.

CRIMINAL CASES.

State of Missouri vs. Walter White, burglary and larceny; defendant pleads guilty to both charges against him, and being only 17 years old is sentenced to four years in the training school for boys; execution stayed and defendant discharged from present custody on condition that he do not again violate the law. Walter White is the darkey who acquired the habit of

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the dresser with a little looking-glass in his hand and a pistol lying on top of the dresser. The negro again told him that Mrs. Blake wanted him at the store, and Mr. Blake replied: "Henry, you go down and wait on Mrs. Blake and wait on her well, and whatever she tells you to do, do."

Mr. Blake still didn't come to the store. Henry Jackson says he went back the third time and called Mr. Blake, but he didn't answer, and he looked in and saw the blood and the body, and started back up town to tell Mrs. Blake, but met her going home, some one, in the mean time, having phoned her of her husband's tragic death.

The ball that did the deadly work was from a 38-calibre Hopkins & Allen revolver and entered the right temple, passing entirely through the head and brain and coming out about two inches above the left ear. The bullet was found about the middle of the bed, but whether it fell there after passing from the ghastly wound or struck the wall and then dropped to the bed is not known.

On subsequent examination of the revolver it was found that one cartridge had been snapped, the next one skipped, while a third had been exploded, and is believed to be the one that caused Mr. Blake's death.

A coroner's inquest was held Saturday night by Dr. Isaiah Knott before the following jury: J. S. Staples, L. E. Shane, W. A. Taylor, C. S. Patnot, J. J. Moore and Frank W. White. J. J. Moore was elected as foreman. After hearing the evidence of Dr. B. Hughes, Henry Jackson, col., and Tom Turner, col., who works for William Richards, a farmer, four miles west of Keytesville, Turner having accompanied Dr. Hughes to Mr. Blake's house, the coroner's jury returned the following verdict:

"We, the jury, find that deceased came to his death from a gunshot wound, and that the shot was fired by his own hand."

John M. Blake was born in Cornersville, Marshall county, Tenn., June 17, 1862, and was, therefore, aged 46 years, 4 months and 26 days at the time of his death.

He was raised on a farm, near Cornersville, but later learned the hardware business, having his first experience in that line with Gray, Falls & Co., wholesale hardware dealers of Nashville, Tenn. He afterwards became a traveling hardware salesman and was on the road for 16 years. He had also worked for the E. C. Simmons Hardware Co. and the Norvel-Shapleigh Hardware Co. of St. Louis, but was more recently in the employ of Fairbanks, Morse & Co. of that city.

He was married in Chicago to Miss Gay Hancock, a daughter of Mr. and Mrs. T. J. Hancock of Keytesville, a most excellent lady, November 29, 1906, and their married life was a happy one beyond an occasional periodical spree in which Mr. Blake indulged. He felt greatly mortified over his uncontrollable appetite for strong drink, and it was probably his inability to free himself from the clutches of that demon that led him to suicide.

He was thoroughly conversant with the hardware business and his trade was constantly growing here where he established the Chariton Hardware Co. and became its manager in April, 1908. He was popular with all who knew him and his untimely death is much regretted by all.

Mr. Blake carried \$4,000 life

Headquarters.

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insurance of which his wife is the beneficiary, \$3,000 of that amount being in the National Life Insurance Co. of Mt. Pelier, Vt., and \$1,000 in the Equitable Life Assurance society of New York.

Besides his devoted wife, his parents and two sisters of Ft. Worth, Tex., and another sister of Dallas, Tex., survive him.

We assure them of the COURIER's sincerest sympathy in their bereavement.

Short services were held at Mr. Blake's late residence by Rev. U. A. Ransom, pastor of the Baptist church, Monday afternoon at 2:30 o'clock and were followed by interment in the City cemetery.

Roll of Honor.

We have been kindly remembered by the following friends during the past week who have either become new subscribers or who have renewed their subscription to the COURIER. May heaven bless 'em:

NEW SUBSCRIBERS.

J. T. Banton, Jas. H. White, Wm. Lightfoot, Mrs. Geo. Elliott, J. H. Phelps, G. B. Harman, Fred Trent, col., W. M. Wright, col.

RENEWALS.

H. G. Bartholomew, H. C. Miller, A. Harms, Mrs. F. P. Lamb, W. E. Washburn, Wm. Welch, S. H. Franklin, Mrs. H. W. Hoel, Mrs. H. Schumacher, Mrs. C. E. Wells, R. D. Vincent, B. I. Davis, W. G. Bozworth, Herman Moser, L. A. Magruder, J. E. Squire, Lee Richardson, H. P. Miller, Geo. Ketohum, S. F. Earl, E. H. Stoner, J. O. Showers, Jones & Conkling, O. P. Ryals, Amos Daugherty, Wm. Kooh, C. C. Hammond, Jos. Farthing, Albert Jones, col.

Meeting Postponed.

Eld. J. M. Lowe, who was to have begun a protracted meeting at the Keytesville Christian church last Sunday, November 14, was detained on account of being engaged in a big meeting at Lehigh Iowa, but will be here next Sunday, November 21. A general invitation is extended to all to attend these services.

Men Wanted

To work on the new grade for the Santa Fe railway at Carrollton. Will pay \$1.75 a day. I also want several sub-contractors for grade work at a good, reasonable price per yard. Further information on application. Address, T. J. Shaughnessy, Carrollton, Mo.

Farm For Sale.

Wishing to move to my farm in Oklahoma, I offer my farm, consisting of 77 acres, 3-4 of a mile from Dalton, at a sacrifice if taken soon. This farm is well improved.

T. L. KUNZ,
Dalton Mo.

Old newspapers for sale at this office at 20c per hundred.